

# DAILY DIGEST

Vol. 19, No. 30  
February 16,2000

\*\*Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

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## NEWS RELEASES

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FCC ACTS ON RECONSIDERATION PETITION AND ISSUES NOTICE OF APPARENT LIABILITY AGAINST CABLEVISION. The Federal Communications Commission (FCC) today released a Notice of Apparent Liability for Forfeiture, initiating enforcement action against Cablevision Systems Corporation for violations of the Commission's must carry rules, specifically those regarding channel positioning. The FCC concluded that Cablevision has been in violation of the Communications Act and the FCC rules since February 16, 1999 and is liable for a forfeiture of \$127,500. By Notice of Apparent Liability (FCC 00-41), By Order on Reconsideration (FCC 00-48). Action by: the Commission. News Media Contact: Michelle Russo (202) 418-2358. CSB Contact: Ben Golant at (202) 418-7200. Internet URL: [https://www.fcc.gov/Bureaus/Cable/News\\_Releases/2000/nrcb0005.doc](https://www.fcc.gov/Bureaus/Cable/News_Releases/2000/nrcb0005.doc)

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## PUBLIC NOTICES

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Released: February 16, 2000. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG.Public Reference Log: 02/15/00. Contact: Public Reference Room: (202) 418-0270. Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/Tariffs/combined/tt021500.pdf](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/combined/tt021500.pdf)

Released: February 16, 2000. COMMON CARRIER BUREAU SEEKS COMMENTS ON THE COLORADO PUBLIC UTILITIES COMMISSION'S PETITION FOR DELEGATION OF ADDITIONAL AUTHORITY TO IMPLEMENT NUMBER RESOURCE OPTIMIZATION MEASURES - NSD FILE NO. L-00-16.Pleading Cycle Established, Comments Due: March 16, 2000, Reply Comments Due: March 30, 2000. (DA No. 00-295). Contact: Network Services Division: Aaron Goldberger at (202) 418-1591 or agoldber@fcc.gov, TTY: (202) 418-0484. Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/2000/da000295.doc](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/2000/da000295.doc)

Report No: 3718. Released: February 16, 2000. CABLE SERVICES ACTION. Contact: Cable Services Bureau: (202) 418-7000.

Report No: SAT-00037. Released: February 16, 2000. SATELLITE POLICY BRANCH INFORMATION. Contact: Satellite and Radiocommunication Division: (202) 418-0719, TTY: (202) 418-2555. Internet URL: [https://www.fcc.gov/Bureaus/International/Public\\_Notices/2000/pnin0039.pdf](https://www.fcc.gov/Bureaus/International/Public_Notices/2000/pnin0039.pdf)

Report No: TEL-00187S. Released: February 16, 2000. STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING SECTION 214 APPLICATIONS (47 C.F.R. SECTION 63.18); CABLE LANDING LICENSE APPLICATIONS (47 C.F.R. SECTION 1.767) REQUESTS TO AUTHORIZE SWITCHED

SERVICES OVER PRIVATE LINES (47 C.F.R. SECTION.63.16); SECTION 310(B)(4) REQUESTS. Internet URL: [https://www.fcc.gov/Bureaus/International/Public\\_Notices/2000/pnin0042.pdf](https://www.fcc.gov/Bureaus/International/Public_Notices/2000/pnin0042.pdf)

Report No: 44672. Released: February 16, 2000. BROADCAST ACTIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Actions/ac000216.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac000216.txt)

Report No: 24672. Released: February 16, 2000. BROADCAST APPLICATIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Applications/ap000216.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap000216.txt)

Report No: 453. Released: February 16, 2000. WIRELESS TELECOMMUNICATIONS BUREAU SITE-BY-SITE ACTION. Internet URL: [https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/2000/pnw10038.pdf](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/2000/pnw10038.pdf)

Report No: 450. Released: February 16, 2000. WIRELESS TELECOMMUNICATIONS BUREAU MARKET-BASED APPLICATIONS ACCEPTED FOR FILING. Internet URL: [https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/2000/pnw10036.pdf](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/2000/pnw10036.pdf)

Report No: 454. Released: February 16, 2000. WIRELESS TELECOMMUNICATIONS BUREAU ASSIGNMENT OF AUTHORIZATION AND TRANSFER OF CONTROL APPLICATIONS ACTION. Internet URL: [https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/2000/pnw10039.pdf](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/2000/pnw10039.pdf)

Report No: 455. Released: February 16, 2000. WIRELESS TELECOMMUNICATIONS BUREAU ASSIGNMENT OF AUTHORIZATION AND TRANSFER OF CONTROL APPLICATIONS ACCEPTED FOR FILING. Internet URL: [https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/2000/pnw10040.pdf](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/2000/pnw10040.pdf)

Released: February 16, 2000. WIRELESS TELECOMMUNICATIONS BUREAU APPROVES WITHDRAWAL OF PETITION FOR RECONSIDERATION AND RECISSION. (DA No. 00-290). Contact: Commercial Wireless Division, Policy and Rules Branch: (202) 418-0920. Internet URL: [https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/2000/da000290.doc](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/2000/da000290.doc)

Released: February 16, 2000. WIRELESS TELECOMMUNICAITONS BUREAU APPROVES WITHDRAWAL OF EMERGENCY PETITION FOR RELIEF. (DA No. 00-291). Contact: Commercial Wireless Division, Policy and Rules Branch: Richard Arsenault at (202) 418-0920. Internet URL: [https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/2000/da000291.doc](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/2000/da000291.doc)

Released: February 16, 2000. WIRELESS TELECOMMUNICATIONS BUREAU'S COMMERCIAL WIRELESS DIVISION APPROVES SETTLEMENTS WITHDRAWING APPLICATIONS FOR REVIEW AND A PETITION FOR RECONSIDERATION, CANCELS 5 SMR LICENSES, AND AWARDS FINDER'S PREFERENCE REQUESTS ACTION TAKEN PURSUANT TO PUBLIC.NOTICES, DA 99-1734 AND DA 99-745. (DA No. 00-199). Contact: Commercial Wireless Division, Policy and Rules Branch: Don Johnson at (202) 418-7240. Internet URL: [https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/2000/da000199.doc](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/2000/da000199.doc)

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## TEXTS

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STANTON PUBLIC LIBRARY. Dismissed the Request for Review of decision of Universal Service Administrator filed December 16, 1999 by Stanton Public Library, Stanton, Nebraska. Action by Deputy Chief, Common Carrier Bureau. Adopted: February 15, 2000. by Order. (DA No. 00-289). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/2000/da000289.doc](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/2000/da000289.doc)

BINAS YISASCHOR, MONSEY, NEW YORK. Dismissed the Letter of Appeal of decision of Universal Service Administrator filed November 17, 1999 by Binas Yisaschor. Dkt No.: CC-96-45, CC-97-21. Action by Deputy Chief, Common Carrier Bureau. Adopted: February 15, 2000. by Order. (DA No. 00-287). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/2000/da000287.doc](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/2000/da000287.doc)

REEDSVILLE SCHOOL DISTRICT, REEDSVILLE, WISCONSIN. Dismissed the Letter of Appeal of decision of Universal Service Administrator filed November 23, 1999, by Reedsville School District, Reedsville, Wisconsin. Dkt No.: CC-96-45, CC-97-21. Action by Deputy Chief, Common Carrier Bureau. Adopted: February 15, 2000. by Order. (DA No. 00-288). CCB Internet URL:

[https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/2000/da000288.doc](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/2000/da000288.doc)

CABLEVISION SYSTEMS CORPORATION. Issued a Notice of Apparent Liability to Cablevision, a cable operator serving communities in the New York television market, for violations of the must carry channel positioning requirements found in Section 614(b)(6) of the Communications Act, as amended, and Section 76.57 of the Commission's rules. The forfeiture amount for the apparent violations is \$127,500. By Notice of Apparent Liability for Forfeiture. Adopted: February 8, 2000. by Order. (FCC No. 00-41). CSB Internet URL:

<https://www.fcc.gov/Bureaus/Cable/Orders/2000/fcc00041.doc>

WXTV LICENSE PARTNERSHIP, G.P. Granted in part, and denied in part, a Petition for Reconsideration filed by Cablevision Systems Corporation, concerning the channel positioning request of television broadcast station WXTV in the New York television market. Declined to consider whether the must carry requirements of the 1992 Cable Act amount to an uncompensated taking of a cable operator's property in violation of the Fifth Amendment to the U.S. Constitution. Action by the Commission. Adopted: February 10, 2000. by Order. (FCC No. 00-48). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/2000/fcc00048.doc>

INTERDEC, INC. V. US SPRINT COMMUNICATIONS COMPANY L.P. AND ITS AFFILIATES UNITED TELECOM, INC. AND SPRINT CORPORATION. Granted parties' Joint Motion to Dismiss With Prejudice, and terminated proceeding. Action by Chief, Market Disputes Resolution Division, Enforcement Bureau. Adopted: February 15, 2000. by Order. (DA No. 00-294). ENF Internet URL:

<https://www.fcc.gov/Bureaus/Enforcement/Orders/2000/da000294.doc>

**ADDENDA: The following items, released February 15, 2000, did not appear in Digest No. 29:**

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## NEWS RELEASES

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COMMISSIONER NESS PLEDGES SUPPORT FOR ENSURING HIGH QUALITY RURAL TELECOMMUNICATIONS IN SPEECH TO NATIONAL TELEPHONE COOPERATIVE ASSOCIATION. Ness Contact: Jordan Goldstein at (202) 418-2100. Internet URL:

[https://www.fcc.gov/Bureaus/Common\\_Carrier/News\\_Releases/2000/nrcc0009.html](https://www.fcc.gov/Bureaus/Common_Carrier/News_Releases/2000/nrcc0009.html)

FCC SETS CRITERIA FOR LIMITED MODIFICATIONS TO LOCAL TELEPHONE BOUNDARIES TO OFFER ADVANCED TELECOMMUNICATIONS SERVICES. The Federal Communications Commission (FCC) adopted criteria by which the Bell Operating Companies (BOCs) may request modifications to Local Access Transport Areas (LATAs) to deploy broadband services. by 4th & R&O & MO&O. Action by: the Commission. Adopted: January 28, 2000. (FCC No. 00-26) News Media Contact: Michael Balmoris (202) 418-0253. CCB Contact: Gregory Cooke or Dennis Johnson at (202) 418-2320, TTY: (202) 418-2555.

FCC APPROVES VOICESTREAM/OMNIPPOINT/COOK INLET LICENSE TRANSFERS AND ASSIGNMENTS. The FCC has approved the transfer and assignment of various wireless licenses of Omnipoint Corporation (Omnipoint) and VoiceStream Wireless Corporation (VoiceStream) to VoiceStream's recently created parent holding company, VoiceStream Wireless Holding Corporation (VWHC) and to joint ventures involving affiliates of Cook Inlet Region, Inc.. by MO&O. Action by: the Commission. Adopted: February 14, 2000. (FCC No. 00-53) News Media Contact: Meribeth McCarrick (202) 418-0654. WTB Contact: Bill Kunze at (202) 418-7887, email: [wkunze@fcc.gov](mailto:wkunze@fcc.gov), TTY: (202) 418-7233; Lauren Kravetz at (202) 418-7944, email: [lkravetz@fcc.gov](mailto:lkravetz@fcc.gov), TTY: (202) 418-7233. Internet URL:

[https://www.fcc.gov/Bureaus/Wireless/News\\_Releases/2000/nrwl0006.html](https://www.fcc.gov/Bureaus/Wireless/News_Releases/2000/nrwl0006.html)

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VOICESTREAM WIRELESS CORPORATION OR OMNIPPOINT CORPORATION AND VOICESTREAM WIRELESS HOLDING COMPANY, COOK INLET/VS GSM II PCS, LLC, OR COOK INLET/VS GSM III PCS, LLC, AND VARIOUS SUBSIDIARIES AND AFFILIATES OF OMNIPPOINT CORPORATION AND COOK INLET/VS GSM II. PCS, LLC OR COOK INLET/VS GSM III PCS, LLC. Granted the pending application for transfer of control or assignment and the joint petition filed by the Federal Bureau of Investigation and the United States Department of Justice. Action by the Commission. Adopted: February 14, 2000. by MO&O. (FCC No. 00-53). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/2000/fcc00053.doc>

**ADDENDA: The following items, released February 14, 2000, did not appear in Digest No. 28:**

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## SPEECHES

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REMARKS OF FCC COMMISSIONER SUSAN NESS BEFORE THE ANNUAL MEETING OF THE NATIONAL TELEPHONE COOPERATIVE ASSOCIATION, FEBRUARY 14, 2000 (AS PREPARED FOR DELIVERY. Internet URL: <https://www.fcc.gov/Speeches/Ness/2000/spsn002.html>

**ADDENDA: The following items, released February 11, 2000, did not appear in Digest No. 27:**

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## TEXTS

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CORRECTED - IN THE MATTER OF DEPOYMENT OF WIRELINE SERVICE OFFERING ADVANCED TELECOMMUNICATIONS CAPABILITY. Adopted criteria by which BOCs may request modifications to LATAs to deploy broadband services. Dkt No.: CC-98-147. Action by the Commission. Adopted: January 28, 2000. by 4TH R&O & ORDERrder. (FCC No. 00-26). CCB Internet URL: <https://www.fcc.gov/Bureaus/Common Carrier/Orders/2000/fcc00026.doc>

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